



Crude oil and unrefined petroleum wastes

Crude oil and related unrefined petroleum wastes present risks to human health and the environment if improperly managed. This fact sheet will discuss the hazardous waste requirements for these wastes administered by the Minnesota Pollution Control Agency (MPCA) and the Metropolitan Counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington (Metro Counties).

What are crude oil and unrefined petroleum wastes?

Crude oil wastes include:

- Spilled crude oil or unrefined petroleum from pipelines, trains, trucks, tanks, and other sources.
- Absorbents, cleanup materials, soil, and water contaminated with crude oil or unrefined petroleum.

Crude oil and unrefined petroleum wastes almost always contain enough benzene and related organic compounds to make them a characteristic hazardous waste. They may also contain hazardous concentrations of heavy metals, including arsenic, cadmium, chromium, lead, mercury, and selenium.

Assume untested crude oil, unrefined petroleum, and any related wastes that will be disposed or burned are hazardous wastes until you evaluate them and document that they are non-hazardous. See MPCA fact sheet #w-hw1-01, Evaluate Waste, at <https://www.pca.state.mn.us/sites/default/files/w-hw1-01.pdf>.

What are *not* crude oil or unrefined petroleum wastes?

Other wastes may be confused with crude oil and unrefined petroleum wastes, including:

- Manufactured or refined petroleum-based and other-based fuels, such as fuel oil, gasoline, and diesel. Manage these fuel-related wastes as discussed in MPCA fact sheet #w-hw4-19, Fuel-related Wastes, at <https://www.pca.state.mn.us/sites/default/files/w-hw4-19.pdf>.
- Used oils and related wastes, including lubricating, hydraulic, and cutting oils. Manage these used oil wastes as discussed in MPCA fact sheet #w-hw4-30, Used Oil and Related Wastes, at <https://www.pca.state.mn.us/sites/default/files/w-hw4-30.pdf>.
- Recovered crude oil or unrefined petroleum that will be managed by refining along with normal process streams at a petroleum refining facility. This material is considered a commodity instead of a regulated waste.

What must I do if crude oil or unrefined petroleum is spilled?

Immediately report all spills of crude oil or unrefined petroleum to the Minnesota Duty Officer. See [More information](#) on the page 3. If needed, call 911 to summon emergency responders first.

Note: The five-gallon exemption in Minnesota's spill reporting law applies only to refined petroleum fuel products, not crude oil or unrefined petroleum-contaminated wastes. All spills of crude oil or unrefined petroleum, regardless of volume, must be reported.

Next, take all reasonable steps to contain the spill and begin to recover as much of the spilled material as possible. Follow any directions given to you by MPCA Emergency Management Unit (EMU) staff.

Finally, document your spill response actions. Submit a written report of transport-related spills to the U.S. Department of Transportation (DOT) within 30 days.

How must crude oil and unrefined petroleum wastes be managed?

- Manage untested wastes and wastes that are not eligible for any of the other options below as fully regulated hazardous wastes. See MPCA fact sheet #w-hw1-06, Treat or Dispose of Hazardous Waste, at <https://www.pca.state.mn.us/sites/default/files/w-hw1-06.pdf>.
- In certain situations, MPCA EMU staff may allow specific management of crude oil or unrefined petroleum wastes that is different than explained in this fact sheet. If the EMU staff issue a specific allowance, this authorization supersedes the requirements discussed here. EMU authorizations are incident-specific and cannot be used for a different spill.
- Liquids and solids that meet the criteria below may be managed equivalent to off-specification used oil and burned for energy recovery in utility or industrial furnaces and boilers. Crude oil and unrefined petroleum wastes that will be burned for energy recovery equivalent to used oil must contain:
 - 10 parts per million (ppm) or less of arsenic.
 - 0.2 ppm or less of mercury.

For guidance on management requirements for off-specification used oil, see MPCA fact sheet #w-hw4-30, Used Oil and Related Wastes, at <https://www.pca.state.mn.us/sites/default/files/w-hw4-30.pdf>.

- Contaminated soil shown to leach less arsenic, cadmium, chromium, lead, mercury, and selenium than the hazardous waste toxicity characteristic levels in MPCA fact sheet #w-hw2-04, Characteristic Hazardous Wastes, at <https://www.pca.state.mn.us/sites/default/files/w-hw2-04.pdf>, may be transported without a hazardous waste manifest in Minnesota and:
 - Landfilled if soils have been dewatered and the receiving landfill's permit and Industrial Solid Waste Management Plan allow its acceptance. The landfill must be notified prior to shipment and must agree to accept the soil. The landfill may require additional testing before accepting the waste, and may apply specific conditions or limitations to the disposal.
 - Land applied if soil application has been approved by the MPCA's Petroleum Remediation Program (PRP). For information on the PRP approval process, see MPCA fact sheet #c-prp3-03, Land Treatment of Petroleum Contaminated Soil, at <https://www.pca.state.mn.us/sites/default/files/c-prp3-03.pdf>.
- Contaminated water shown to contain less arsenic, cadmium, chromium, lead, mercury, and selenium than the hazardous waste toxicity characteristic levels in MPCA fact sheet #w-hw2-04, Characteristic Hazardous Wastes, at <https://www.pca.state.mn.us/sites/default/files/w-hw2-04.pdf>, may be transported without a hazardous waste manifest in Minnesota and:
 - Discharged to a publicly owned treatment works (POTW). The POTW must be notified prior to shipment and must agree to accept the water. The POTW may require additional testing before accepting the waste, and may apply specific conditions or limitations to the discharge.
 - Land applied if water application has been issued a National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Permit for Contaminated Groundwater by the MPCA. For the application process for this permit, see MPCA form #wq-wwprm7-29, Industrial Groundwater Pump-Out Application, at <https://www.pca.state.mn.us/sites/default/files/wq-wwprm7-29.doc>.

More information

Guidance in this fact sheet was compiled from Minnesota Statutes, Chapter 115, and Minnesota Rules, Chapters 7037 and 7045, and incorporates regulatory interpretation decisions made by the MPCA on April 13, 2016. To review Minnesota laws, visit the Office of the Revisor of Statutes at <https://www.revisor.mn.gov/pubs>.

For information about waste minimization, contact the Minnesota Technical Assistance Program (MnTAP). The MPCA's Small Business Environmental Assistance Program can offer free, confidential compliance assistance. Immediately report all hazardous waste spills to the Minnesota Duty Officer.

Metro County Hazardous Waste Offices

Anoka	763-422-7093
.....	https://www.anokacounty.us/
Carver	952-361-1800
.....	http://www.co.carver.mn.us/
Dakota	952-891-7557
.....	https://www.co.dakota.mn.us/
Hennepin	612-348-3777
.....	http://www.hennepin.us/
Ramsey	651-266-1199
.....	https://www.ramseycounty.us/
Scott	952-496-8475
.....	http://www.scottcountymn.gov/
Washington	651-430-6655
.....	https://www.co.washington.mn.us/

Minnesota Pollution Control Agency

Toll free (all offices)	1-800-657-3864
All offices	651-296-6300
.....	https://www.pca.state.mn.us/

Minnesota Duty Officer

Toll free	1-800-422-0798
Metro	651-649-5451

Small Business Environmental Assistance Program

Toll free	1-800-657-3938
Metro	651-282-6143
.....	https://www.pca.state.mn.us/sbeap/

Minnesota Technical Assistance Program

Toll free	1-800-247-0015
Metro	612-624-1300
.....	http://www.mntap.umn.edu